

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

PRECONFIRMATION MODIFIED
CHAPTER 13 PLAN

In Re:

JAMES A. LAUER
KAREN M. LAUER

Dated: OCTOBER 4, 2004

DEBTOR
*In a joint case,
debtor means debtors in this plan.*

Case No. 04-43677

1. PAYMENTS BY DEBTOR —

- a. As of the date of this plan, the debtor has paid the trustee \$750.
- b. **The debtor will pay the trustee \$575 per month, beginning October, 2004,** for a period not to exceed 42 months in order to pay the amounts indicated in ¶ 3, 4, 5, 6, 7, 8, and 9.
- c. The debtor will also pay the trustee \$N/A.
- d. The debtor will pay the trustee a total of \$24,900

2. PAYMENTS BY TRUSTEE — The trustee will make payments only to creditors for which proofs of claim have been timely filed, make payments monthly as available, and collect the trustee's percentage fee of a maximum of 10% for an estimated total of \$2,490 or such lesser percentage as may be fixed by the Attorney General.

3. PRIORITY CLAIMS — The trustee shall pay in full all timely filed claims entitled to priority under § 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$1,750	\$518	1	4	\$1,750
b. Internal Revenue Service					
c. MN Dept. of Revenue					
d.					
e. TOTAL					\$1,750

4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT — The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. CHASE HOME MORTGAGE
- b.

5. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5)] — The trustee will cure defaults **AT NO INTEREST** on claims secured only by a security interest in real property that is the debtor's principal residence as filed. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default and payment schedule are estimates only. If no default is stated, the trustee will pay the actual amounts of default in an amount sufficient to cure arrears within 24 months.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. N/A					
b.					
c.					
d. TOTAL:					

Chapter 13 Plan

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [§ 1322 (b)(5)]** — The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default and payment schedule are estimates only. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. N/A					
b.					
c. TOTAL					

- 7. OTHER SECURED CLAIMS [§ 1325(a)(5)]** — The trustee will make payments to the following secured creditors having a value as of confirmation not to exceed the allowed amount of the creditor's secured claim with interest as shown. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. Each secured claim is designated a separate class for treatment pursuant to 11 U.S.C. § 1322(b) and § 1329(a). **NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 506(a).** Payment schedule shown is an estimate only and may be modified by payments under paragraph 5 of this plan.

Creditor	Claim Amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. GROUP HEALTH FCU @ 8%	\$2,662	\$2,662	\$518	4	6	\$2,705
b.						
c.						
d.						
e.						
f. TOTAL						\$2,705

- 8. SEPARATE CLASS OF UNSECURED CREDITORS** — In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows: N/A
- a. The debtor estimates that the total claims in this class are \$0-.
- b. The trustee will pay this class \$0-.
- 9. TIMELY FILED UNSECURED CREDITORS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7, and 8 their estimated pro rata share \$17,955.
- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$0-.
- b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8) are \$59,372.
- c. Total estimated unsecured claims are \$59,372 [line 9(a) + line 9(b)].
- 10. OTHER PROVISIONS** — Debtor submits all future earnings or other income to such supervision or control of the trustee as is necessary for the execution of the plan. Property of the estate shall vest in the debtor upon dismissal, conversion, or discharge. Funds withheld under ¶ 2 and not applied to trustee's fee to be disbursed at trustee's discretion.

11. SUMMARY OF PAYMENTS

Trustee's Fee [Line 2]	\$2,490
Priority Claims [Line 3(e)]	\$1,750
Home Mortgage Defaults [Line 5(d)]	-0-
Long-Term Debt Defaults [Line 6(c)]	-0-
Other Secured Claims [Line 7(f)]	\$2,705
Separate Class [Line 8(b)]	-0-
Unsecured Creditors [Line 9]	<u>\$17,955</u>
TOTAL:	24,900

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Ian Traquair Ball, #4285
12 South Sixth Street, Suite 326
Minneapolis, MN 55402
Tel: (612) 338-1313

Signed

Debtor

Signed

Debtor (if joint case)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

**NOTICE OF PRECONFIRMATION
CHAPTER 13 MODIFIED PLAN**

JAMES A. LAUER
KAREN M. LAUER

BKY 04-43677

One Lowell Circle
Sartell, MN 56377

Last 4 Digits of SSN: 7595
9964

Debtor(s).

TO: MICHAEL J. FARRELL, Chapter 13 Trustee; and other parties in interest:

PLEASE TAKE NOTICE that on November 18, 2004, at 10:00 a.m., in Courtroom 8 West, U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota, the Court will hold a hearing on the proposed modified plan of the above-named debtor(s). A copy of the modified plan, dated October 4, 2004, is attached to the notice.

/e/ Ian Traquair Ball

Ian Traquair Ball, #4285

Attorney for Debtor(s)

12 South 6th St., #326

Minneapolis, MN 55402

Tel: (612) 338-1313

Dated: October 13, 2004

CERTIFICATE OF SERVICE

I, Brenda Greenhalgh, declare under penalty of perjury that on October 13, 2004, I mailed copies of the foregoing Notice of Preconfirmation Modified Chapter 13 Plan and Preconfirmation Modified Chapter 13 Plan for James A. and Karen M. Lauer, Case No. 04-43677, by United States mail postage prepaid, at Minneapolis, Minnesota to each entity named below and on the attached list at the addresses stated for each entity:

Michael J. Farrell
Chapter 13 Trustee
P.O. Box 519
Barnesville, MN 56514

United States Trustee
1015 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

James A. Lauer
Karen M. Lauer
One Lowell Circle
Sartell, MN 56377

(SEE ATTACHED LIST)

Dated: October 13, 2004


Brenda Greenhalgh

AMERICAN EXPRESS
PO BOX 36002
FT LAUDERDALE FL 33336 0002

BANK OF AMERICA
PO BOX 5270
CAROL STREAM IL 60197 5270

BENEFICIAL
PO BOX 9055
BRANDON FL 33509

CAPITAL ONE
PO BOX 34631
SEATTLE WA 98124 1631

CHASE MANHATTAN
MORTGAGE CORPORATION
PO BOX 9001319
LOUISVILLE KY 40290 1319

CITICARD
PO BOX 6405
THE LAKES NV 88901 6405

FLEET
PO BOX 15368
WILMINGTON DE 19886 5368

GROUP HEALTH
CREDIT UNION
PO BOX 19340
SEATTLE WA 98109-1340

GROUP HEALTH FEDERAL
CREDIT UNION
PO BOX 19340
SEATTLE WA 98109

PLAZA PARK BANK
17 DIVISION ST
WAITE PARK MN 56387 1349